

Key No. : 168-05301-0191

PROJECT: Cumberland Ave. Reconstruction Phase I
PARCEL: 20
COUNTY: Tippecanoe
OWNER: Bethlehem Towers, L.L.C.

TEMPORARY RIGHT OF WAY

THIS INDENTURE WITNESSETH THAT That Bethlehem Towers, L.L.C.

of Tippecanoe County in the State of Indiana conveys and warrants to CITY OF WEST LAFAYETTE of the State of Indiana, for use as temporary right of way for the purpose of yard grading and drive construction, the following Real Estate in Tippecanoe County in the State of Indiana.

PARCEL: 20 TEMP
PROJECT: Cumberland Ave. Reconstruction Phase 1

DESCRIPTION: EXHIBIT "A"

The temporary right of way automatically reverts back to the property owner at the completion of the project.

IN WITNESS WHEREOF, the said Grantor(s) has hereunto set its hand and seal on March 1,
_____, 2010.

By:

Name:

[Signature]
Nancy J. Geltman
Managing Member

STATE OF NEW JERSEY)
COUNTY OF BERGEN)

SS:

Before me, the undersigned, a Notary Public in and for said County and State, on March 1,
_____, 2010, personally appeared Nancy J. Geltman, Managing Member,
Grantor in the above conveyance, and acknowledged the execution of such Temporary Right of Way to
be their voluntary act and deed, for the uses and purposes herein mentioned.

[Signature]
THERESA A SALVATORE, notary public

Resident of Bergen County

My commission expires:
9/22/2014

**ACCEPTED: CITY OF WEST LAFAYETTE
BOARD OF PUBLIC WORKS AND SAFETY**

John R. Dennis, Mayor

Sana G. Booker, Member

Bradley W. Marley, Member

Jonathan C. Speaker, Member

Elizabeth M. Stull, Member

STATE OF INDIANA }
 } SS:
COUNTY OF TIPPECANOE }

Before me, the undersigned, a Notary Public in and for said County and State, this ____ day of _____, 2010 personally appeared Mayor John R. Dennis, Bradley W. Marley, Sana G. Booker, Jonathan C. Speaker and Elizabeth M. Stull of the West Lafayette Board of Public Works and Safety, and acknowledge the execution of the above release, for the uses and purposes herein mentioned.

Witness my hand and Notarial Seal this ____ day of _____, 2010.

Residence of _____ County

My Commission Expires

Signature _____

Printed _____, Notary Public

This instrument prepared by:
Eric H. Burns, of the firm of
WITHERED BURNS & PERSIN, LLP
8 N. 3rd Street, Suite 401
P.O. Box 499
Lafayette, Indiana 47901
Telephone: (765) 742-1988

Exhibit "A"

Designation:
Parcel: 20 Temporary R/W
Form: WD-1

Sheet 1 of 1
Code: N/A

A Part of the Property described as Instrument Number 9624304 recorded in the Office of the Tippecanoe County Recorder located in the Southeast Quarter of the Southeast Quarter of Section 1, Township 23 North, Range 5 West, City of West Lafayette, Tippecanoe County, Indiana, more particularly described as follows:

Commencing at a the Southwest Quarter of the Southeast Quarter of said Southeast Quarter, Thence North 00 degrees 35 minutes 15 seconds West along the West line of said Southeast Quarter a distance of 50.00 feet to the North Right-Of-Way line of Cumberland Avenue; thence North 89 degrees 17 minutes 55 seconds East along said North Right-Of-Way line a distance of 25.00 feet to the Southwest Corner of said Property; thence North 00 degrees 35 minutes 15 seconds West parallel with the West line of said Southeast Quarter a distance of 15.00 feet; thence North 89 degrees 17 minutes 55 seconds East parallel with the said North Right-Of-Way line a distance of 462.06 feet to the Point of Beginning; thence North 86 degrees 43 minutes 16 seconds East a distance of 222.36 feet to the East line of said Property; thence South 64 degrees 59 minutes 12 seconds West a distance of 24.29 feet; thence South 89 degrees 17 minutes 55 seconds West parallel with said North Right-Of-Way Line a distance of 200.00 feet to the point of beginning; containing 0.023 acres of land more or less.

NOTE: The land description hereon is based on the Cumberland Avenue Phase 1 Route Survey for the City of West Lafayette dated January 27, 2009 and recorded in Instrument Number 200909016190 in the Office of the Tippecanoe County Recorder. (See attached Survey)